

Message Text

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ACTION IO-13

INFO OCT-01 ARA-06 ISO-00 IOE-00 AID-05 IGA-02 DODE-00
MED-02 L-03 CIAE-00 INR-07 JUSE-00 NSAE-00 SNM-02
TRSE-00 USIA-06 NSC-05 OES-06 OMB-01 SCS-03 SCA-01
/063 W

-----221650Z 041169 /44

P R 221510Z MAR 77

FM AMEMBASSY KINGSTON

TO SECSTATE WASHDC PRIORITY 4502

INFO DEA HQS WASHDC

DEA HQS MAIAMI RO

LIMITED OFFICIAL USE KINGSTON 1347

DEA WASHDC ATTN: TTI,ENIL, ENOE

DEA MIAMI ATTN: DCA

E.O. 11652: NA

TAGS: SNAR, PINS, JM

SUBJECT: JAMIACA'S LEGAL PROVISIONS GOVERNING MARIJUANA

REF: STATE 57902

1. THE JAMAICAN DANGEROUS DRUG ACT AS AMENDED WITH REGARD TO POSSESSION OF MARIJUANA (GANJA) STATES THAT "EVERY PERSON WHO IS FOUND GUILTY OF THE OFFENCE OF BEING IN POSSESSION OF GANJA(MARIJUANA) SHALL ON SUMMRY CONVICTION BEFORE A RESIDENT MAGISTRATE, IN THE CASE OF A FIRST CONVICTION FOR SUCH OFFENCE, BELIABLE TO A FINE NOT EXCEEDING ONE THOUSAND DOLLARS OR TO IMPRISONMENT FOR A TERM NOT EXCEEDING THREE YEARS, OR TO BOTH SUCH FINE AND IMPRISONMENT, AND IN CASE OF A SECOND OR SUBSEQUENT CONVICTION FOR SUCH OFFCENCE, BE LIABLE TO A FINE NOT EXCEEDING TWO THOUSAND DOLLARS OR TO IMPRISONMENT FOR A TERM NOT EXCEEDING FIVE (5) YEARS OR TO BOTH SUCH FINE AND CONVICTION".

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2. WITH RESPECT TO TRAFFICKING OF MARIJUANA, THE JAMAICAN DANGEROUS DRUG ACT, AS AMENDED, STATES THAT EVERY PERSON WHO IS GUILTY OF THE OFFENCE OF IMPORTING OR BRINGING INTO THE ISLAND, OR EXPORTING THEREFROM ANY GANJA (MARIJUANA) OR OF CULTIVATING, SELLING, OR OTHERWISE DEALING IN GANJA, SHALL

(A) ON CONVICTION BEFORE A CIRCUIT COURT, BE
LIABLE TO A FINE OR TO IMPRISONMENT FOR A TERM NOT
EXCEEDING TEN (10) YEARS OR TO BOTH SUCH FINE AND
IMPRISONMENT;

(B) ON SUMMARY CONVICTION BEFORE A RESIDENT MAGISTRATE
IN THE CASE OF A FIRST CONVICTION FOR SUCH OFFENCE BE
LIABLE TO A FINE NOT EXCEEDING TEN THOUSAND DOLLARS OR
TO IMPRISONMENT FOR A TERM NOT EXCEEDING THREE (3)
YEARS OR BOTH SUCH FINE AND IMPRISONMENT, AND IN THE
CASE OF SECOND OR SUBSEQUENT CONVICTIONS FOR SUCH OFFENCES,
BE LIABLE TO A FINE NOT EXCEEDING TWENTY THOUSAND DOLLARS
OR TO IMPRISONMENT FOR A TERM NOT EXCEEDING FIVE (5)
YEARS OR TO BOTH FINE AND IMPRISONMENT.

3. CURRENTLY, FIRST OFFENDERS CHARGED WITH
POSSESSION OF GANJA (MARIJUANA) ARE FINED ON A
CASE BY CASE BASIS (DEPENDING ON AMOUNT POSSESSED
AND ABILITY OF INDIVIDUAL TO PAY) FROM FIFTY (\$50)
DOLLARS TO TWO HUNDRED (\$200) DOLLARS. JAIL SENTENCES
NEARLY NON-EXISTENT ON FIRST OFFENSE.

4. RECENT NEWSPAPER ARTICLE HAVE INDICATED THAT
DR. PERCIVAL BRODERICK, LEADER OF THE OPPOSITION
BUSINESS IN THE HOUSE OF REPRESENTATIVES AND DEPUTY
CHAIRMAN OF THE JAMAICAN LABOUR PARTY HAS CALLED FOR
THE LEGALIZATION OF GANJA (MARIJUANA) FOR RELIGIOUS
AND PERSONAL USEAGE.

5. JAMAICAN MINISTER OF PARLIAMENTARY AFFAIRS, DR.
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KENNETH MCNEILL HAS WELCOMED THE CALL FOR LEGALIZATION
OF GANJA FOR PERSONAL USE AND HAS STATED THAT HE
PROPOSES TO RECOMMEND THAT A SPECIAL SELECT COMMITTEE
BE APPOINTED TO LOOK INTO THE MATTER AND MAKE
APPROPRIATE RECOMMENDATIONS.

6. HOWEVER, LEGAL REVIEW PROCESS PROBABLY WILL LEAD
TO DECRIMINALIZATION RATHER THAN FULL LEGALIZATION.
GERARD

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW, NARCOTICS, DRUG CONTROL, MARIJUANA
Control Number: n/a
Copy: SINGLE
Sent Date: 22-Mar-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977KINGST01347
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770098-0194
Format: TEL
From: KINGSTON
Handling Restrictions: n/a
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ISecure: 1
Legacy Key: link1977/newtext/t19770336/aaaabeuc.tel
Line Count: 106
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Litigation History:
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Original Classification: LIMITED OFFICIAL USE
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Retention: 0
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Review Exemptions: n/a
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Review Withdrawn Fields: n/a
SAS ID: 3037874
Secure: OPEN
Status: NATIVE
Subject: JAMICA\S LEGAL PROVISIONS GOVERNING MARIJUANA
TAGS: SNAR, PINS, JM
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